

The clean copy of the substitute specification also incorporates the various changes made in the preliminary amendment as required in the Action, as well as several additional grammatical changes. The marked-up copy shows all changes made since filing, using underlining and strike-through. No new matter has been entered.

Claims 5-20 remain active in this application. The allowance of claims 7-13 is gratefully acknowledged. Claims 5, 6 and 14-20 were rejected on grounds of indefiniteness (112, second paragraph), but otherwise were indicated allowable if made definite. As discussed below, Applicants have amended independent claims 5, 6 and 14 to specifically address each of the Examiner's concerns about definiteness.

Consider first independent claim 5. In the rejection, it was alleged that the last two paragraphs were indefinite because they did not specifically require responsiveness to any of the earlier transmitting and receiving operations. Claim 5 is directed to a base station and specifies certain operations thereof. As disclosed, the actual reception of data occurs if/when the remote station successfully receives the collision detection preamble from the base station. As such, the base station's reception of such data from the remote station is not necessarily "responsive" to any of the earlier operations by the base station itself but only occurs afterwards. In a similar fashion, the disclosed transmission of data by the base station to the remote station occurs after the access and collision detection phases are successfully completed. It is not seen that the recitations of such operations in claim 5 need to narrowly specify "in response to" with respect to any of the other base station operations. Instead, Applicants have amended claim 5 to combine the last two paragraphs so as to recite one alternative operation, "receiving ... or transmitting" and to specify that this operation occurs "subsequently," that is to say after the base station transmits its collision detection

preamble.

Applicants respectfully submit that the amended claim language is clear, concise and reasonably definite. It is further submitted that the amended version, at the very least, is no narrower than the originally filed version of claim 5 and may be broader in that the final receiving and transmitting operations are now specified in the alternative form.

In a similar manner, claim 6 was found indefinite, apparently on the ground that the transmitting and receiving operations in the last two paragraphs were not specifically responsive to any of the earlier operations. Applicants have amended the next to last paragraph of claim 6 to recite that the transmitting of any of data and control information is "in response to receipt of the base station collision detection preamble." As such, that paragraph now specifies a relationship to the earlier portions of the claims, as required by the Examiner.

The last paragraph of claim 6, however, has not been amended. Claim 6 is directed to the remote station, which performs specific operations. As disclosed, the final receiving step need not be specifically controlled by the remote station but instead is a function of when/if the base station actually sends any such information. The last paragraph of claim 6 specifies "receiving over the common synchronization channel any of data and control information from the base station," which from the perspective of the remote station, is concise and accurately recites how this operation occurs in the remote station.

Applicants respectfully submit that the amended language of claim 6 is clear, concise and reasonably definite. It is believed that the original version of this claim would have had the same scope when interpreted in light of the specification. Accordingly, the amendment to address the question of definiteness has not narrowed claim 6.

Claim 14 was found indefinite, apparently because the Examiner felt that the recitations of the operations of the baseband processor did not adequately specify the interconnection/inter-relationship of those operations. Applicants have amended only two of the relevant paragraphs of claim 14. Applicants submit that the claim adequately specifies the interconnection of the processor operations. The following is a quotation of the relevant portions of claim 14, with the appropriate "interconnecting" language underlined, for purposes of illustration only, including language that appeared in the original version as well as that added by this amendment.

generating and outputting a plurality of packets comprising a sequence of coded preamble signals at sequentially increasing discrete power levels;

detecting an acknowledgement of at least one of the output packets, in a first received spread-spectrum signal;

upon detection of the acknowledgement, generating and outputting a packet comprising a collision detection preamble;

detecting in a second received spread-spectrum signal a base station collision detection preamble corresponding to the outputted collision detection preamble;

in response to the detection of the base station collision detection preamble, generating and outputting a packet comprising data and control information;

In view of the underlined sections, it is believed that the claim clearly specifies sufficient interconnection between the operations to render the claim reasonably definite.

From the comment in the rejection, it appears that the Examiner also raised a similar concern about the claim recitation of "processing any of data and control information in a third received spread-spectrum signal" in the last paragraph. The last paragraph of claim 14 has not been amended. It is believed that the paragraph is definite in the context of claim 14. Claim 14 is directed to a baseband processor for use in the remote station. As disclosed, the base station transmits information, and the remote station processor processes any such information actually received. However, from the remote station perspective, this operation of the processor is not

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necessarily dependent on any of the earlier specified operations. Applicants submit that the last paragraph of claim 14 therefore need not recite any specific "interconnecting" of that operation with the other operations.

Applicants respectfully submit that the amended language of claim 14 is clear, concise and reasonably definite, and that the scope of the amended claim is, at the very least, no narrower than the original version submitted at the time of filing this continuation case.

For the reasons explained above, claims 5, 6 and 14-20 are definite and the rejection thereof should be withdrawn. Since all claims are patentable over the art, the claims should all be in condition for allowance. Also, it is believed that this response overcomes all formal objections. Hence, the case as a whole should be allowable. Applicants therefore solicit a prompt favorable reconsideration of this case.

It is believed that this response addresses all outstanding issues. However, if any other issue arises, which may be addressed in an interview or by an Examiner's amendment, Applicants request that the Examiner telephone their attorney at the number shown below.

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To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Keith E. George
Registration No. 34,111

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8603 KEG:mlg
Date: May 16, 2001
Facsimile: (202) 756-8087